

Message Text

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51

ACTION OPIC-12

INFO OCT-01 EUR-25 ADP-00 EB-11 COME-00 AID-20 L-03 SSO-00

CIAE-00 DODE-00 INR-10 NSAE-00 PA-03 PRS-01 USIE-00

CIEP-02 H-02 FTC-01 TRSE-00 OMB-01 NSCE-00 NSC-10

SS-15 INRE-00 /117 W

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O 261520 Z APR 73

FM AMEMBASSY BUCHAREST

TO SECSTATE WASHDC IMMEDIATE 5234

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FOR OPIC

E. O. 11652: N/A

TAGS: PFOR, EGEN, RO

SUBJ: OPIC INVESTMENT INCENTIVE AGREEMENT

REFS: A) STATE 076839; B) STATE 77195

1. PARA 3, REFTEL A. GOR PLANS TO PROVIDE EMBASSY, AT SIGNING CEREMONY, WITH LETTER AUTHORIZING MINISTER FOREIGN TRADE TO SIGN AGREEMENT.

2. CONCERNING APRIL 30 PRESS RELEASE (REFTEL B) , GOR OFFICIALS DO NOT HAVE PREPARED REMARKS FOR MINISTER OF FOREIGN TRADE NICOLAE' S USE AT SIGNING ON 28 TH. WE CAN SUPPLY QUOTES BY CABLE ON SATURDAY AFTERNOON, APRIL 28.

3. CONCERNING APRIL 27 (OR OTHER) PRESS RELEASE YOU MAY WISH TO USE FOLLOWING QUOTE FROM AMBASSADOR MEEKER, " OUR TWO COUNTRIES HAVE ALREADY MADE CONSIDERABLE PROGRSS IN THE DEVELOPMENT OF COMMERCIAL RELATIONSHIPS. IN THIS SPIRIT, ROMANIA HAS DONE MUCH TO CREATE FAVORABLE INVESTMENT CONDITIONS, AND THE FIRST AMERICAN FIRM HAS ALREADY RESPONDED WITH ITS INVESTMENT . I
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CONSIDER THE SIGNING OF THIS AGREEMENT, THEREFORE, ESPECIALLY IMPORTANT AS A STEP FORWARD WHICH WE TAKE TOGETHER FOR OUR MUTUAL BENEFIT."

4. PARA 2, REFTTEL A. AFTER MEETING WITH GOR OFFICIALS TODAY TO REVIEW TOGETHER ENGLISH AND ROMANIAN VERSIONS OF TEXTS, WE HAVE FOLLOWING OBSERVATIONS:

A) FIRST SENTENCE OF COVERING NOTE. WE WILL TYPE FINAL VERSION TO READ IN PART: QUOTE I HAVE THE HONOR TO REFER TO CONVERSATIONS WHICH HAVE RECENTLY TAKEN PLACE BETWEEN REPRESENTATIVES OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF ROMANIA RELATING TO INVESTMENTS.... UNQUOTE.

B) PARAGRAPH NUMBER 3, PENULTIMATE SENTENCE IN TEXT OF AGREEMENT. FOR ENGLISH TEXT WHICH READS QUOTE... SHALL ACQUIRE SUCH RIGHTS SUBJECT TO THE PAYMENT OF LEGAL TAXES... UNQUOTE, ROMANIAN REPLY USES ROMANIAN WORD "DUPA" TO TRANSLATE ENGLISH WORDS "SUBJECT TO." ROMANIAN WORD "DUPA" GIVES SENSE OF ENGLISH WORD "AFTER." WE FEEL THIS CONVEYS SLIGHTLY DIFFERENT CONNOTATION IN TIMING FROM "SUBJECT TO." WE SUGGESTED THAT GOR USE ROMANIAN WORDS "CONDITIONAT DE" OR SOME COMPARABLE FORMULATION WHICH TRANSLATES ENGLISH VERSION MORE CLOSELY. WHILE GOR NEGOTIATOR DID NOT OBJECT TO USE OF WORDS "CONDITIONAT-DE", HE WAS DISCIPLINED TO MAKE ANY CHANGE IN HIS TEXT. ALTHOUGH APPARENT LANGUAGE DISCREPANCY MIGHT NOT TURN OUT TO BE SIGNIFICANT DIFFERENCE, WE NEVERTHELESS FEEL THAT PRESENT ROMANIAN TEXT IS NOT SATISFACTORY INTERPRETATION OF ENGLISH VERSION, AND WISH TO BRING IT TO DEPARTMENT'S ATTENTION. WE WILL CONTINUE TO URGE GOR TO CHANGE ROMANIAN VERSION BEFORE APRIL 28 TH SIGNING; IN MEANTIME WE REQUEST DEPARTMENT GUIDANCE THIS LANGUAGE POINT BY "IMMEDIATE" CABLE.
MEEKER

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

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